

## **Remarks**

Reconsideration and reexamination of the above-identified patent application, as amended, are respectfully requested. Claims 8 and 10-12 are pending in this application upon entry of this Amendment. Of the pending claims, claim 8 is the only independent claim.

### **Claim Objections**

In the final Office Action mailed October 27, 2004, the Examiner objected to claim 12 for having an informality. The Applicant has amended claim 12 to correct the noted informality.

### **Claim Rejections - 35 U.S.C. § 102**

The Examiner rejected claims 8, 10, and 12 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,581,464 issued to Woll et al ("Woll"). The Applicant respectfully traverses this rejection and believes that the claimed invention is patentable over Woll.

#### **1. The Claimed Invention**

The claimed invention, as recited in independent claim 8, is a method for recording motor vehicle data regarding a monitored operating condition of a motor vehicle in response to an occupant of the motor vehicle declaring an event in response to experiencing irregular behavior of the motor vehicle while the motor vehicle is being driven without being involved in an accident.

The method includes generating sensor signals indicative of motor vehicle data regarding a monitored operating condition of a motor vehicle as a function of time. The sensor signals are written into a memory device as the sensor signals are being generated for storage

in the memory device. An occupant of the motor vehicle actuates a switch in order to declare an event in response to the occupant experiencing irregular behavior of the motor vehicle while the motor vehicle is being driven without being involved in an accident. An event signal is generated at the time the occupant of the motor vehicle actuated the switch.

The sensor signal generated at the time the occupant of the motor vehicle actuated the switch is marked. The sensor signals stored in the memory device which were generated at times proximate to the time the occupant of the motor vehicle actuated the switch are then transferred from the memory device to an output device.

## **2. The Claimed Invention Compared to Woll**

The claimed invention generally differs from Woll in that the claimed invention includes marking a sensor signal generated at the time the occupant declared the event in order to transfer the sensor signals stored in memory which were generated at times proximate to the time the occupant declared the event.

Woll discloses recording “information on a separate page in memory... upon being triggered by a particular event” (Woll, col. 7, ll. 15-16). Likewise, Woll discloses “recording to a page other than the current page” upon the occurrence of an “unusual event” (Woll, col. 7, ll. 4-6). As such, Woll teaches utilizing a first page in memory to record pre-event data and a second page in memory to record post-event data. In contrast, the claimed invention includes marking a sensor signal generated at the time the occupant declared the event. Marking allows for the identification of signals generated at times proximate to the time the occupant declared the event even where a single page in memory is used to store all data. Furthermore, by not requiring multiple pages to store pre-event and post-event data, the present invention eliminates the need to reference multiple logical memory locations when transferring the signals generated proximate to the event to an output device.

Accordingly, the Applicant believes that independent claim 8 is patentable over Woll for the reason that Woll does not teach or suggest the above recited features. Claims 9 and 12 depend from independent claim 8 and include the limitations therein. Thus, the Applicant respectfully requests reconsideration and withdraw of the rejection to the claims under 35 U.S.C. § 102(b).

**Claim Rejections - 35 U.S.C. § 103**

The Examiner rejected claim 11 under 35 U.S.C. § 103(a) as being unpatentable over Woll in view of U.S. Patent No. 6,163,755 issued to Peer et al. Claim 11 depends from independent claim 8 and include the limitations therein. Thus, the Applicant respectfully requests reconsideration and withdraw of the rejection to claim 11 under 35 U.S.C. § 103(a).

**CONCLUSION**

In summary, claims 8 and 10-12, as amended, meet the substantive requirements for patentability. The case is in appropriate condition for allowance. Accordingly, such action is respectfully requested. If a telephone or video conference would expedite allowance or resolve any further questions, such a conference is invited at the convenience of the Examiner.

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